

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:22-cv-00289

Randal Walter Wright,
Plaintiff,

v.

John Jarvis et al.,
Defendants.


ORDER

Plaintiff Randal Walter Wright, an inmate proceeding pro se and *in forma pauperis*, filed a civil rights lawsuit under 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b).

On August 26, 2023, the magistrate judge issued a report recommending that this case be dismissed without prejudice as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994), because the plaintiff's claim conflicts with the validity of his standing conviction. Doc. 12. A copy of the report was mailed to the plaintiff, who did not file written objections.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. This case is dismissed without prejudice for failure to state a claim upon which relief can be granted pursuant to *Heck*.

So ordered by the court on October 10, 2023.



J. CAMPBELL BARKER
United States District Judge